

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10128 of 2020**

Arising Out of PS. Case No.-158 Year-2018 Thana- KATORIYA District- Banka

BIHARI YADAV, S/o Ganesh Yadav, R/o Village - Kharwajor, P.S. - Katoriya,
District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

3 03-12-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504 of the Indian Penal Code, Sections 3, 4 and 5 of the Explosive Substance Act.

Though allegation in the FIR is of commission of injury to Ajay Khaira and Ganauri Khaira by explosion of bomb, however, the Doctor has found simple injury caused by hard blunt substance. Petitioner has stated on oath that he has got no criminal antecedent.

Considering the facts of this case aforesaid especially non-corroboration of prosecution allegation by medical



evidence, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Katoriya Police Station Case No. 158 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial Court.

(Birendra Kumar, J)

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